

REMARKS

In response to the Official Action dated June 18, 2002, Applicant amends the application and requests reconsideration. In the Amendment, claim 1 has been amended. No new matter has been added. Claims 1-13 are now pending and under examination.

Applicant confirms the election of the invention of Group I (claims 1-13) for prosecution with traverse.

The drawings are objected to under 37 CFR 1.83(a) as not showing every feature of the claimed invention. Applicant has added Figure 3 to show the feature "additional indentation of profiled contact surface." Regarding the feature "a starter and generator device," Applicant respectfully submits that this feature is functional and, therefore, does not lend itself to be shown by drawings. Regarding the features "the crankshaft" and "the internal combustion engine," Applicant respectfully submits that these are not features of the claimed invention and, therefore, do not need to be shown in the drawings; they are merely devices that the claimed machine may be connected to.

Applicant has submitted a new title to overcome the objection to the title.

Claims 1-13 were objected to for containing informalities. Specifically, it was stated that line 7 of claim 13 contains an open bracket. Applicant's attorney has carefully examined claim 13 and could not find any open bracket. In fact, claim 13 has only five lines. Applicant assumes that the Examiner meant to object to claim 1 and, accordingly, has amended claim 1 to delete the open bracket.

Claims 1-13 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification as originally filed. Specifically, it was alleged that the specification does not contain a written description of the stator laminations being held by locking contact.

Applicant respectfully submits that the specification meets the description requirement of 35 U.S.C. §112, first paragraph. The specification describes that the rotor's laminations are in form-locking contact with the rotor's carrying element. At paragraph 1 of page 5, the specification states that the laminations of the stator can be in a non-rotatable connection with a housing bell in the manner according to the

invention. In addition, at the last paragraph of page 8, the specification states that the construction according to the invention, which is described in Figures 1 and 2, applies also to a stator. Further, original claim 1, which is a part of the application's disclosure, also recites that the stator's laminations are in form-locking contact with the stator's carrying element. Those sections of the application clearly show to a person skilled in the art that Applicant is in possession of this feature of the claimed invention. Accordingly, the specification meets the description requirement of 35 U.S.C. §112, first paragraph.

Claims 1-13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of which Applicant regards as the invention. It was stated that the claims are indefinite because it is unclear whether Applicant is claiming an apparatus or a method of making an apparatus. Applicant respectfully submits that the claims only recite elements of an apparatus and functional limitations, and do not recite any steps of making an apparatus. Accordingly, the claims are directed to an apparatus and are definite under 35 U.S.C. §112, second paragraph.

Claims 1-4 and 9-13 were rejected under 35 U.S.C. §102(b) as being anticipated by, or under 35 U.S.C. §103(a) as being unpatentable over, *Swartz* (U.S. Patent 3,477,125). For the following reasons, Applicant respectfully requests that Examiner Tamai reconsider this rejection.

Applicant believes that *Swartz* does not disclose or suggest every limitation of claim 1 (and therefore claims 2-4 and 9-13 because they depend from claim 1). For example, *Swartz* does not disclose or suggest the limitation that the "form-locking contact is achieved on the profiled contact surface of the bundle of laminations by an electromagnetic forming of the carrying element." As described in the Attachment, entitled "Electromagnetic Metal Forming," electromagnetic forming can produce a surface on the carrying element that can form a form-locking contact with the bundle of laminations. This form-locking contact is similar to the form-locking contact produced by casting. Machining of the carrying element, on the other hand, cannot produce the required form-locking contact, considering that the layered side surface of the laminations is relatively rough. Therefore, the form-locking contact

generated by electromagnetic forming inherently has structural features which *Swartz* does not specifically disclose or suggest.

Claims 1-4 and 9-13 were rejected under 35 U.S.C. §102(b) as being anticipated by, or under 35 U.S.C. §103(a) as being unpatentable over, *Spreen* (U.S. Patent 1,688,891). For the same reason as discussed above, Applicant respectfully requests that Examiner Tamai also reconsider this rejection. In addition to the above reason, Applicant respectfully submits that, in *Spreen*, the contact between the soft rubber member (17) and the stator (14) cannot be the non-rotatable connection between the carrying element and the bundle of laminations of claim 1. Since the rubber member (17) is soft, the soft rubber member (17) and the stator (14) can rotate relatively to each other to some extent. Further, since the rubber member (17) is soft, the contact between the soft rubber member (17) and the stator (14) cannot be generated by electromagnetic forming. The pressure generated by electromagnetic forming would damage the soft rubber member (17).

Claims 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Swartz* in view of *Day* (U.S. Patent 5,306,123). Claims 9-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Swartz* and *West* (U.S. Patent 4,471,252). Claims 5-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Spreen* in view of *Day* (U.S. Patent 5,306,123). Claims 9-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Spreen* and *West* (U.S. Patent 4,471,252). Since these rejections relied on the first two rejections, Applicant respectfully requests that Examiner Tamai reconsider these rejections for the reasons discussed above.

Although the above discussion focuses on the limitations of the independent claim (claim 1), Applicant believes that the dependent claims also recite features that are not disclosed or suggested by the cited references. For example, claim 5 recites an additional indentation in the profiled contact surface of the bundle of laminations and a section of the rotor hub, which is molded into the indentation during the electromagnetic forming. This feature is not disclosed or suggested by any of the cited references.

The Office Action, however, stated that *Day* discloses such an indentation (27). Applicant respectfully disagrees. *Day* does not say that the member designated by reference numeral 27 is an indentation. In fact, it says that the

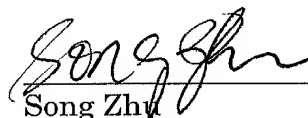
member (27) is a laminated portion (column 2, lines 59-64). Further, the Office Action did not even state any of the references discloses or suggests the section of the rotor hub, which is molded into the indentation during the electromagnetic forming.

In light of the foregoing remarks, this application is considered to be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #951/48969).

Respectfully submitted,

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**VERSION WITH MARKINGS SHOWING CHANGES MADE**

**IN THE SPECIFICATION**

On Page 6, after the paragraph between lines 8 and 9, the following new paragraph has been inserted:

Figure 3 is a cross-section view of the laminations with additional indentations, and a rotor hub having sections extending into the indentations.

On Page 8, the first full paragraph has been amended as follows:

For the axial securing of the rotor hub 3 relative to the bundle of laminations 4, an additional indentation 11, which is [not] shown in Figure 3, is provided in the profiled contact surface 5 of the bundle of laminations 4, a section 12 of the rotor hub 3, which is molded into the indentation during the electromagnetic forming, causing an axial securing.

**IN THE CLAIMS**

Claim 1 has been amended as follows:

1. (Amended) Electrical rotating machine comprising a rotor and a stator, at least one of the rotor and[/or] the stator [each] comprising bundles of laminations positioned by way of [separate] a carrying element[s] (rotor hub 3[, or stator housing), and

a non-rotatable connection between the [respective] carrying element and the [assigned] bundle of laminations by a form-locking contact of the carrying element [(on the [pertaining] bundle of laminations which is caused by plastic deformation,

wherein the [respective] bundle of laminations has a profiled contact surface for the [assigned] carrying element (rotor hub 3), and

wherein form-locking contact is achieved on the profiled contact surface of the bundle of laminations by an electromagnetic forming of the carrying element (the rotor hub 3[, or the stator housing) effective at least in certain areas.